

Case 7998

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n.m.
2/25/03**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of :
Mitchell Anthony Delong, et al :
Serial No. 09/774,557 : Group Art Unit 1616
Filed 31 January 2001 : Examiner Radio, Barbara P.
For COMPOSITIONS AND :
METHODS FOR TREATING
HAIR LOSS USING NON-
NATURALLY OCCURRING
PROSTAGLANDINS

RESPONSE TO NOTICE OF INCOMPLIANT RESPONSE

Commissioner for Patents
Washington, D.C. 20231

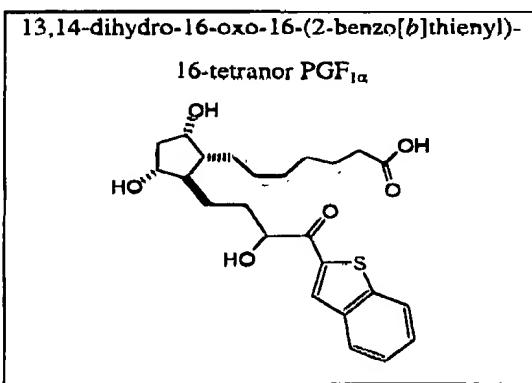
Dear Madam:

In response to the Office Action dated 24 December 2002, please enter the following election of species.

02/25/2003 MMAY22 00000001 162480 09774557
01 FC:1251 110.00 CH

ELECTION OF SPECIES

The Examiner previously asserted a Restriction Requirement in the present application. The Applicants, in a communication dated 14 October 2002, elected to prosecute the subject matter of Group 1, claims 1 to 15. The Examiner, in an Office Action dated 24 December 2002, asserted that Applicants' election was incomplete, purportedly because the Applicants did not elect a single species falling under the elected group. The Applicants wish to note that the Examiner has not enumerated the species from which the Applicants have been asked to elect. Nevertheless, the Applicants have responded to the imposition of this requirement by electing one of the compounds disclosed in the present application as being suitable for incorporation into "Component A" of claim 1. Accordingly, the Applicants elect the species encompassed by the below-depicted compound, without traverse.



Support for the Applicants' election of the above-depicted species is found throughout the application and claims, as originally filed, and specifically on page 18 of the specification.

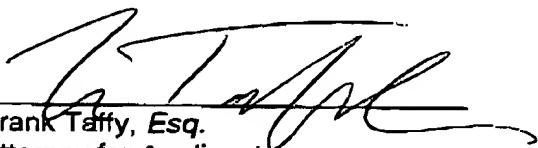
CONCLUSION

Applicants have made an earnest effort to place the present claims in condition for examination and/or allowance. WHEREFORE, entry of the election of species provided herewith, examination on the merits of the elected invention, and allowance of Claims 1-15 are respectfully requested. In the event that issues remain prior to allowance of the noted claims, then the Examiner is invited to call Applicants' undersigned attorney to discuss any remaining issues.

Respectfully submitted,

Mitchell Anthony deLong, et al

By


Frank Taffy, Esq.
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24 January 2003
Cincinnati, Ohio
7998-ResponseToNonComplaint.doc

TOTAL P.04

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The Procter and Gamble Company - Intellectual Property Division

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GROUP 16

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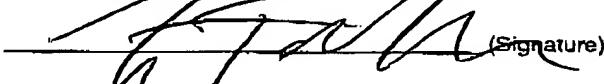
OFFICIAL

TO: Examiner B. Badio - United States Patent and Trademark Office

Fax No. (703) 308-4556

Phone No. (703) 308-4595

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on 24 January 2003, to the above-identified facsimile number.


(Signature)

FROM: Frank Taffy, Esq. - The Procter & Gamble Company

Fax No. (513) 634-6108

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this Certificate of Transmission:

Number of Pages Including this Page:

- 1) Response to Non-Compliant Election
- 2)
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4

Inventor(s): deLong, Mitchell A., et al.

S.N.: 09/774,557

Filed: 31 January 2001

Case: 7998

Comments:

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